

DELHI CHARTER TOWNSHIP  
PLANNING COMMISSION  
AUGUST 13, 2007

MEMBERS PRESENT: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara,  
Smith  
MEMBERS ABSENT: Goodall  
STAFF PRESENT: Miller, Stepp

Chairperson Grinnell opened the meeting at 7:00 p.m.

**APPROVAL OF July 23<sup>rd</sup>, 2007 MEETING MINUTES**

O'Hara moved, Donaldson supported to postpone approval of the July 23<sup>rd</sup>, 2007 meeting minutes as presented until corrections could be made.

**MOTION CARRIED**

**Public Comment (Non-Agenda Items):** None

**Special Use Permit – Kroger Fueling Station, 2495 Cedar Street**

Ms. Miller recommended postponing action on this Special Use Permit request until the Zoning Board of Appeals (ZBA) provides an interpretation of the Zoning Ordinance (ZO) regarding if and how gas station/service stations are permitted in the C-2: General Business district. Ms. Miller explained that the ZBA can hear the case on September 10<sup>th</sup>, 2007 and then the Planning Commission can proceed with the appropriate procedure.

Ms. Miller stated that the applicant is supportive of her recommendation to postpone action until the ZBA can make a decision.

**Opened Public Hearing**

Mr. John Gormley, representing Erik Walter of Dworken & Bernstein Co., 60 South Park Place, Painesville OH, addressed the Planning Commission. He stated that in his opinion the PC discarded the section previously mentioned to not allow gas stations on properties zoned C-2.

Mr. John Fifarek, Lask and Fifarek, 101 S Washington Square, Lansing MI, representing L&L Food Center, addressed the PC. He expressed his opinion that the matter of gas stations in the C-2 district had been previously decided during past PC action.

Mr. Tom Frank, 31810 Grand River, Novi MI, Kroger Company Real Estate Manager, addressed the Planning Commission. Mr. Frank stated that Kroger is agreeable to the recommendation and that the company will do whatever is requested or necessary to approve the fuel station at this location.

Commissioner Leaf asked the applicant if the proposed building was just a fuel station. Mr. Frank replied that there will be a kiosk selling a limited number of items such as candy, gum, cigarettes, oil, windshield washer fluid and other items that are useful for motorists.

**Closed Public Hearing**

**Leaf moved, Donaldson supported, to postpone action by the Planning Commission on this Special Use Permit request until the Zoning Board of Appeals has had an opportunity to provide an interpretation regarding how and if gas stations/service stations are permitted within the C-2 zoning district.**

ROLL CALL VOTE:

Aye: Craig, Donaldson, Hayhoe, O'Hara, Smith, Grinnell, Leaf  
Absent: Goodall  
Ney: Hettinger

**MOTION CARRIED**

Meeting Adjourned 7:35 p.m.

Respectfully Submitted,

Norm Hettinger  
Secretary